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REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated August 28, 2006, claims 1-19 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the rejection.

Claim 19 stands rejected under 35 U.S.C. §102(e) as being anticipated by Herring (U.S. Pat. No. 6,958,987). Applicants respectfully traverse.

Claim 19 has been amended to include conditional access software. Applicants respectfully submit that conditional access software is not taught or suggested by *Herring*. The columns and lines pointed to by the Examiner, in particular, column 5, lines 20-49, describe compression, but do not describe conditional access software. Therefore, because each and every element of claim 19 is not found in the *Herring* reference, Applicants respectfully request the Examiner to reconsider this rejection.

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Fuller* (5,729,297) in view of *Herring* (6,958,987).

Claim 1 is directed to a system of distributing electronic content that includes a network operations center generating a broadcast signal having digital electronic content, a communication backbone coupled to the network operations center, and a base station receiving the broadcast signal from the backbone and forming a wireless local area network. The base station over-the-air broadcasts at least a portion of the broadcast signal as a rebroadcast signal using the wireless local area network. A user appliance is also included in the system within the wireless local area network and receives the rebroadcast signal. The user appliance has conditional access software therein. The conditional access software allows the user appliance to access the rebroadcast signal.

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The *Fuller* system teaches the video distribution system suitable for use in a hotel. The *Fuller* system receives information from a satellite 106 at downlink facility 108. The hospitality system 108 distributes the system to various rooms within the hotel. The Examiner points to the satellite links as a means for over-the-air coupling or broadcasting to redistribution device 108, 110 and 112. The *Fuller* reference does not teach or suggest the use of over-the-air broadcasting using the network 204. The network 204 is not taught or suggested to be a wireless system. Applicants believe that the system is a wired system that uses microwaves or RF that are broadcast through the wires or optical fibers that exist within the hotel. It should be noted that cable television systems typically use high frequency to transmit signals within wires. This is one reason cable television uses coaxial shielded cables.

The Examiner does agree that the *Fuller* reference does not teach a wireless local area network and conditional access. The Examiner cites the *Herring* reference for those teachings. On page 4 of the Office Action dated August 28, 2006, the Examiner states, "Herring teaches the same technique as Herring discloses a base station with an antenna for receiving and transmitting electronic content and a compression software as conditional access software for compressing the electronic content into a compressed signal within the base station". The Examiner then refers the Applicants to Figs. 2 and 3, the base station 102, column 4, lines 47-56 and column 5, lines 20-49. Applicants do admit that the *Herring* reference does teach that the base station may manifest itself as an advanced set top box. Also, a personal access device is wirelessly coupled to the base station. However, the base station is best described in the passage in column 5. Applicants agree that compression and decompression functions are set forth. However, compression and decompression are different than providing conditional access. As can be seen in the present invention, conditional access and compression are two separate functions. It

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appears that the Examiner is trying to equate compression software with conditional access software. As mentioned above, these are two completely separate functions. Compression software merely reduces the size of the transmitted signal, wherein conditional access enables the use of the signals. Applicants respectfully submit that there is no teaching or suggestion for conditional access in the *Herring* system. Compression and conditional access are not the same.

Therefore, even when the references are combined, no teaching or suggestion is provided for a user appliance positioned within a wireless local area network that receives a rebroadcast signal from a base station wherein the user appliance has conditional access software therein to allow the user appliance to access the rebroadcast signal.

Claim 13 is another independent claim that is directed to a method of distributing electronic content. The final step of Claim 13 recites receiving the over-the-air electronic content through a user appliance having conditional access software therein, said conditional access software allowing the user appliance to access the rebroadcast signal. Because of the similarities of Claim 13 to Claim 1, Applicants respectfully request the Examiner to reconsider this rejection for the same reasons set forth above.

Claim 16 recites a method of distributing electronic content using a compressed signal at a base station and over-the-air rebroadcasting the compressed signal using the wireless local area network. Claim 16 also recites allowing conditional access at a user device through a conditional access software in the user device. These claims have similarities to Claim 1 with respect to the rebroadcasting and the conditional access software. Therefore, these claims are also believed to be allowable for the same reasons set forth above with respect to Claim 1.

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Claims 2-12, 14-15 and 17-18 are dependent upon allowable independent claims and are believed to be allowable for at least the same reasons set forth above. Applicants therefore respectfully request the Examiner to reconsider the rejection of these claims.

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**CONCLUSION**

In light of the above remarks, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

Dated: October 10, 2006

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